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VIA FACSIMILE TO: (409) 763-4102

Anthony P. Griffin
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RE: *Ann Marie Rose Baker, M.D. v. University of Texas Health Science Center et al; Civil Action No. 4:08-CV-1908; In the United States District Court for the Southern District of Texas, Galveston Division*

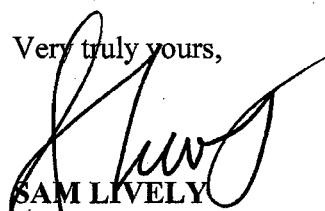
Dear Mr. Griffin:

A review of my file in the above-referenced lawsuit reveals that on March 27, 2009 I propounded upon you Defendants' First Set of Interrogatories and Defendants' First Set of Requests for Production of Documents. To date, I have not received a response to either set of discovery requests. The purposes of this letter are two-fold.

First, I write to inform you that pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure, it is the Defendant's position that you have waived any and all objections to the aforementioned written discovery requests. Second, I would request that, no later than May 22, 2009, you provide me with your client's answers to these two written discovery requests. Although I am loathe involving the Court in discovery issues, I am unable to schedule your client's deposition without having at least this preliminary information that I have requested, and will have no choice but to file a motion with the Court if I must.

Thank you for your prompt attention to this matter. Should you have any concerns or wish to discuss the matter with me more fully, please feel free to call me at (512) 475-4083.

Very truly yours,


SAM LIVELY
Assistant Attorney General
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EXHIBIT

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